

**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that this correspondence is being filed electronically with the U.S. Patent and Trademark Office on the below date:

Date: October 9, 2009 Name: Jasper W. Dockrey, Reg. No. 33,868 Signature: /Jasper W. Dockrey/

**BRINKS  
HOFFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
JOLY et al.	)	
	)	Examiner: Zarneke, David A.
Serial No.: 10/561,299	)	
	)	Group Art Unit: 2891
Filing Date: December 15, 2005	)	
	)	Confirmation No.: 3881
For: INTEGRATED CIRCUIT ON	)	
HIGH-PERFORMANCE CHIP	)	
	)	
Docket No: 9905/34 (BIF023273USA)	)	

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

This application claims priority to the following patent applications: PCT Application Serial No. PCT/FR04/001565 filed June 23, 2004, which claims the benefit of French patent application No.0307617, filed June 24, 2003. In accordance with 37 C.F.R §1.98(d), the Examiner is directed to the references cited in all Information Disclosure Statements filed in the priority United States patent applications cited above, in addition to the references cited herein.

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicants hereby cite the following reference(s):

U.S. PATENT DOCUMENTS		
DOCUMENT NO.	DATE	NAME
4,121,334	10/1978	Wallis
4,179,324	12/1979	Kirkpatrick
5,013,681	05/1991	Godbey et al.
5,034,343	07/1991	Rouse et al.
5,232,870	08/1993	Ito et al.
5,234,535	08/1993	Beyer et al.
5,256,581	10/1993	Foerstner et al.
5,310,446	05/1994	Konishi et al.

5,405,802	04/1995	Yamagata et al.
5,413,951	05/1995	Ohori et al.
5,567,654	10/1996	Beilstein, Jr. et al.
5,618,739	04/1997	Takahashi et al.
5,661,333	08/1997	Bruel et al.
5,811,348	09/1998	Matushita et al.
5,817,368	10/1998	Hashimoto
5,854,123	12/1998	Sato et al.
5,877,070	03/1999	Goesele et al.
5,953,622	09/1999	Lee et al.
5,966,620	10/1999	Sakaguchi et al.
5,981,400	11/1999	Lo
5,985,412	11/1999	Gösele
5,994,207	11/1999	Henley et al.
6,010,591	01/2000	Gösele
6,013,563	01/2000	Henley et al.
6,020,252	02/2000	Aspar et al.
6,033,974	03/2000	Henley et al.
6,048,411	04/2000	Henley et al.
6,054,363	04/2000	Sakaguchi et al.
6,057,212	05/2000	Chan et al.
6,096,433	08/2000	Kikuchi et al.
6,103,597	08/2000	Aspar et al.
6,103,599	08/2000	Henley et al.
6,118,181	09/2000	Merchant et al.
6,159,323	12/2000	Joly et al.
6,190,998	02/2001	Bruel et al.
6,204,079	03/2001	Aspar et al.
6,225,190	05/2001	Bruel et al.
6,225,192	05/2001	Aspar et al.
6,271,101	08/2001	Fukunaga
6,294,478	09/2001	Shkaguchi et al.
6,303,468	10/2001	Aspar et al.
6,362,077	03/2002	Aspar et al.
6,534,380	03/2003	Yamauchi et al.
6,645,831	11/2003	Shaheen et al.
6,645,833	11/2003	Brendel
6,727,549	04/2004	Doyle
6,756,285	06/2004	Moriceau et al.
6,756,286	06/2004	Moriceau et al.
6,774,010	08/2004	Chu et al.
6,946,365	09/2005	Aspar et al.
7,029,548	04/2006	Aspar et al.
2001/0007789 A1	07/2001	Aspar et al.
2002/0185684 A1	12/2002	Campbell et al.
2004/0009649 A1	01/2004	Kub et al.
2004/0209441	10/2004	Maleville et al.

U.S. PATENT DOCUMENTS		
DOCUMENT NO.	DATE	NAME
2005/0029224	02/2005	Aspar et al.
2007/0020895 A1	01/2007	Moriceau et al.
2007/0202660	08/2007	Moriceau et al.
2007/0259528	11/2007	Moriceau et al.

FOREIGN PATENT DOCUMENTS		
DOCUMENT NO.	DATE	COUNTRY
EP 0 410 679 A1	01/1991	EUROPE
EP 0 504 714	09/1992	EUROPE
EP 0 717 437 B1	06/1996	EUROPE
EP 0 767 486 B1	09/1997	EUROPE
EP 0 793 263 A2	09/1997	EUROPE
EP 0849 788 A2	06/1998	EUROPE
EP 0 889 509 A2	01/1999	EUROPE
EP 0 989 593 A2	03/2000	EUROPE
EP 1 014 452 B1	05/2006	EUROPE
EP 1 050 901 A2	11/2000	EUROPE
FR 95 08882	06/1996	FRANCE
FR 2 558 263	07/1995	FRANCE
FR 2 671 472 A3	07/1992	FRANCE
FR 2 681 472	03/1993	FRANCE
FR 2 725 074	03/1996	FRANCE
FR 2 736 934	01/1997	FRANCE
FR 2 748 850 A1	11/1997	FRANCE
FR 2 748 851	11/1997	FRANCE
FR 2 758 907 A1	07/1998	FRANCE
FR 2 767 416 A1	02/1999	FRANCE
FR 2 767 604	02/1999	FRANCE
FR 2 773 261	07/1999	FRANCE
FR 2 774 510 A1	08/1999	FRANCE
FR 2 781 925 A1	02/2000	FRANCE
FR 2 796 491	01/2001	FRANCE
FR 2 797 347	02/2001	FRANCE
FR 2 809 867	12/2001	FRANCE
FR 2 819 099 A1	07/2002	FRANCE
GB 2 211 991 A	07/1989	GREAT BRITAIN
JP 53-104156	09/1978	JAPAN
JP 59-54217	03/1984	JAPAN
JP 62265717	11/1987	JAPAN
JP 101004013	01/1989	JAPAN
JP 07-254690	10/1995	JAPAN
JP 7-302889	11/1995	JAPAN
JP 09-213594	08/1997	JAPAN
JP 09-307719	11/1997	JAPAN
JP 11045862	02/1999	JAPAN

FOREIGN PATENT DOCUMENTS		
DOCUMENT NO.	DATE	COUNTRY
JP11087668	03/1999	JAPAN
JP 11074208	03/1999	JAPAN
JP 11-145436	05/1999	JAPAN
JP 10163166	06/1998	JAPAN
JP 8133878	05/1996	JAPAN
JP 10233352	09/1998	JAPAN
JP 11317577	11/1999	JAPAN
JP 4199504	07/1992	JAPAN
JP 08017777	01/1990	JAPAN
JP 58 31519	02/1983	JAPAN
RU 128757	06/2000	RUSSIA
WO 95/20824 A1	08/1995	PCT
WO 99/08316 A1	02/1999	PCT
WO 99/35674 A1	07/1999	PCT
WO 99/39378 A1	08/1999	PCT
WO 00/48238 A1	08/2000	PCT
WO 00/63965 A1	10/2000	PCT
WO 01/11930 A2	02/2001	PCT
WO 01/43168 A2	06/2001	PCT
WO 02/47156 A1	06/2002	PCT
WO 02/083387 A1	10/2002	PCT

**OTHER ART Non-Patent Literature**

Almedia et al. "Bond formation in ion beam synthesized amorphous gallium nitride", <i>Elsevier, This Solid Films</i> , 343-344 1999, pp 632-636.
Aspar et al., Smart-Cut®: The basic fabrication process for UNIBOND® SOI wafers, <i>SEMI</i> 1996, pp. 37-46.
Haisma et al., Silicon-on-Insulator Wafer Bonding-Wafer Thinning Technological Evaluations", <i>JAPANESE Journal of Applied Physics</i> , 28, 1989, Aug., No.8, Part 1, Tokyo, JAPAN, pp. 1426-1443.
Maleville, C. et al, "Wafer Bonding and Hi-Implantation Mechanisms Involved In The Smart-Cut Technology", 1997, pp 14-19.
Office Action (Non-Final) for Appln. Serial No. 10/474,984 – Dated Sept. 24, 2004.
Office Action (Non-Final) for Appln. Serial No. 10/474,984 – Dated June 6, 2005.
Office Action (Non-Final) for Appln. Serial No. 10/474,984 – Dated Nov. 16, 2005.
Office Action (Non-Final) for Appln. Serial No. 10/474,984 – Dated May 17, 2006.
Office Action (Non-Final) for Appln. Serial No. 10/474,984 – Dated May 7, 2007.
Office Action (Non-Final) for Appln. Serial No. 10/474,984 – Dated Feb. 6, 2008.
Office Action (Final) for Appln. Serial No. 10/474,984 – Dated Oct. 17, 2008.
Office Action (Non-Final) for Appln. Serial No. 10/474,984 – Dated July 7, 2009.
Office Action (Non-Final) for Appln. Serial No. 10/565,621 – Dated May 15, 2007
Office Action (Final) for Appln. Serial No. 10/565,621 – Dated Feb 11, 2008
Office Action (Non-Final) for Appln. Serial No. 10/565,621 – Dated Sept 12, 2008
Office Action (Final) for Appln. Serial No. 10/565,621 – Dated Mar 12, 2009
Office Action (Non-Final) for Appln. Serial No. 10/468,223 – Dated Oct. 5, 2005
Office Action (Final) for Appln. Serial No. 10/468,223 – Dated May 3, 2006
Office Action (Non-Final) for Appln. Serial No. 10/468,223 – Dated Jan 10, 2007
Office Action (Final) for Appln. Serial No. 10/468,223 – Dated July 20, 2007
Office Action (Non-Final) for Appln. Serial No. 10/468,223 – Dated Feb. 11, 2008
Office Action (Final) for Appln. Serial No. 10/468,223 – Dated Oct 29, 2008
Office Action (Non-Final) for Appln. Serial No. 10/468,223 – Dated June 25, 2009
Wiegand, M. et al., "Wafer Bonding of Silicon Wafers Covered With Various Surface Layers", <i>Sensors and Actuators</i> , Elsevier Science B.V., Vol. 86, 2000, pp 91-95.
U.S. District Court District of Delaware (Wilmington) Civil Docket For Case #: 1:08-cv-00292-SLR – (19 pgs)
COMPLAINT filed with Jury Demand against MEMC Electronic Materials Inc. - Magistrate Consent Notice to Pltf. ( Filing fee \$ 350, receipt number 152004.) - filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a LEnergie Atomique. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Civil Cover Sheet, # 5 Acknowledgement of Consent Form) (sns, ) (Entered: 05/20/2008) (47 pgs)
Notice of Availability of a U.S. Magistrate Judge to Exercise Jurisdiction (sns, ) (Entered: 05/20/2008) (1 pg)
Report to the Commissioner of Patents and Trademarks for Patent/Trademark Number(s) RE39,484 E; 6,809,009; 7,067,396 B2; (sns, ) (Entered: 05/20/2008) (1 pg)
SUMMONS Returned Executed by SOITEC Silicon On Insulator Technologies SA, Commissariat a LEnergie Atomique. MEMC Electronic Materials Inc. served on 5/19/2008, answer due 6/9/2008. (Kraft, Denise) (Entered: 05/20/2008) (2 pgs)
MOTION for Pro Hac Vice Appearance of Attorney George W. Neuner, Alan M. Spiro, Brian M. Gaff and Carolyn D'Agincourt - filed by SOITEC Silicon On Insulator Technologies SA,

Commissariat a LEnergie Atomique. (Attachments: # 1 Certificate of Compliance Certification by Counsel To Be Admitted Pro Hac Vice, # 2 Certificate of Compliance Certification by Counsel To Be Admitted Pro Hac Vice, # 3 Certificate of Compliance Certification by Counsel To Be Admitted Pro Hac Vice, # 4 Certificate of Compliance Certification by Counsel To Be Admitted Pro Hac Vice, # 5 Certificate of Service)(Kraft, Denise) (Entered: 05/23/2008) (6 pgs).
STIPULATION TO EXTEND TIME Answer to Complaint to 7/9/08 - filed by MEMC Electronic Materials Inc.. (Rogowski, Patricia) (Entered: 06/05/2008) (1 pg).
MOTION for Pro Hac Vice Appearance of Attorney Robert M. Evans, Jr., David W. Harlan, Richard L. Brophy, Marc W. Vander Tuig - filed by MEMC Electronic Materials Inc.. (Attachments: # 1 Certification of Robert M. Evans, Jr., # 2 Certification of David W. Harlan, # 3 Certification of Richard L. Brophy, # 4 Certification of Marc W. Vander Tuig)(Rogowski, Patricia) (Entered: 06/09/2008) (6 pgs)
MOTION for Pro Hac Vice Appearance of Attorney Michael L. Brody, Richard P. Gilly, Gail J. Standish, Marcus T. Hall and Jason S. Charkow - filed by SOITEC Silicon On Insulator Technologies SA. (Attachments: # 1 Certification By Counsel to be Admitted Pro Hac Vice, # 2 Certification By Counsel to be Admitted Pro Hac Vice, # 3 Certification By Counsel to be Admitted Pro Hac Vice, # 4 Certification By Counsel to be Admitted Pro Hac Vice, # 5 Certification By Counsel to be Admitted Pro Hac Vice)(Kraft, Denise) (Entered: 06/10/2008) (8 pgs)
Disclosure Statement pursuant to Rule 7.1 filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a LEnergie Atomique. (Attachments: # 1 Certificate of Service)(Kraft, Denise) (Entered: 06/16/2008) (3 pgs)
MOTION to Dismiss Based upon or, in the Alternative, Motion for a More Definite Statement - filed by MEMC Electronic Materials Inc. (Rogowski, Patricia) (Entered: 07/09/2008) (4 pgs)
OPENING BRIEF in Support re 10 MOTION to Dismiss Based upon or, in the Alternative, Motion for a More Definite Statement filed by MEMC Electronic Materials Inc. Answering Brief/Response due date per Local Rules is 7/28/2008. (Rogowski, Patricia) (Entered: 07/09/2008) (15 pgs)
Disclosure Statement pursuant to Rule 7.1 filed by MEMC Electronic Materials Inc. (Rogowski, Patricia) (Entered: 07/09/2008) (3 pgs)
ANSWERING BRIEF in Opposition re 10 MOTION to Dismiss Based upon or, in the Alternative, Motion for a More Definite Statement filed by Commissariat a L'Energie Atomique. Reply Brief due date per Local Rules is 8/7/2008. (Attachments: # 6 Exhibit A, # 7 Exhibit B, # Certificate of Service) (Kraft, Denise) (Modified on 7/29/2008 (lid). (Entered: 07/28/2008) (29 pgs)
SEALED REPLY BRIEF re 10 MOTION to Dismiss Based upon or, in the Alternative, Motion for a More Definite Statement filed by MEMC Electronic Materials Inc. (Rogowski, Patricia) (Entered: 08/07/2008) REDACTED REPLY BRIEF re 14 - re 10 MOTION to Dismiss Based upon or, in the Alternative, Motion for a More Definite Statement filed by MEMC Electronic Materials Inc. (Attachments: # 1 Exhibit 2, # 2 Exhibit 3, # 3 Exhibit 4, # 4 Exhibit 5, # 5 Unreported Cases, # 6 Certificate of Service) (Rogowski, Patricia) Modified on 8/8/2008 (lid). (Entered: 08/07/2008) (98 pgs)
MEMORANDUM ORDER denying 10 MOTION to Dismiss Based upon or, in the Alternative, Motion for a More Definite Statement filed by MEMC Electronic Materials Inc., ORDER, Setting Hearings Telephonic Scheduling Conference set for 3/12/2009 at 9:00 A.M. Signed by Judge Sue L. Robinson on 2/20/2009. (nmf) (Entered: 02/20/2009) (6 pgs)
MOTION for Pro Hac Vice Appearance of Attorney B. Scott Eidson - filed by MEMC Electronic Materials Inc. (Attachments: # 1 Exhibit Certification by Counsel to be Admitted

Pro Hac Vice)(Rogowski, Patricia) (Entered: 02/23/2009) (4 pgs)
NOTICE OF SERVICE of Plaintiffs' Initial Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1) by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # 1 Certificate of Service) (Kraft, Denise) (Entered: 02/27/2009) (4 pgs)
ANSWER to 1 Complaint, with Jury Trial Demanded, COUNTERCLAIM against all plaintiffs by MEMC Electronic Materials Inc.. (Attachments: # 1 Exhibit A)(Rogowski, Patricia) (Entered: 03/06/2009) (55 pgs)
NOTICE OF SERVICE of MEMC Electronic Materials, Inc.'s Initial Disclosures by MEMC Electronic Materials Inc. (Rogowski, Patricia) (Entered: 03/06/2009) (3 pgs)
PROPOSED ORDER Proposed Scheduling Order re 16 Memorandum and Order, Set Hearings, by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Kraft, Denise) (Entered: 03/10/2009) (7 pgs)
Letter to The Honorable Sue L. Robinson from Denise Seastone Kraft, Esq. regarding [Proposed] Scheduling Order - re 21 Proposed Order, 16 Memorandum and Order, Set Hearings,. (Kraft, Denise) (Entered: 03/10/2009) (1 pg)
STIPULATION TO EXTEND TIME to Respond or Otherwise Plead to Defendant's Counterclaim to April 7, 2009 - filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # 1 Certificate of Service)(Kraft, Denise) (Entered: 03/11/2009) (2 pgs)
PROPOSED ORDER Revised Scheduling Order re 21 Proposed Order, 16 Memorandum and Order,, Set Hearings, by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Kraft, Denise) (Entered: 03/12/2009) (7 pgs)
Letter to The Honorable Sue L. Robinson from Denise Seastone Kraft regarding Revised Scheduling Order Pursuant to 03/12/09 Telephonic Scheduling Conference - re 24 Proposed Order. (Kraft, Denise) (Entered: 03/12/2009) (1 pg)
SCHEDULING ORDER: Case referred to the Magistrate Judge for the purpose of exploring ADR. Joiner of Parties due by 8/14/2009. Amended Pleadings due by 8/14/2009. Discovery due by 4/23/2010. Discovery Conference set for 6/25/2009 04:30 PM in Courtroom 6B before Judge Sue L. Robinson. Dispositive Motions due by 6/25/2010. Answering Brief due 7/16/2010. Reply Brief due 7/30/2010. Oral Argument set for 8/27/2010 09:30 AM in Courtroom 6B before Judge Sue L. Robinson. Claim Construction Opening Briefs due by 6/18/2010. Response Briefs due 7/9/2010. Final Pretrial Conference set for 10/14/2010 04:30 PM in Courtroom 6B before Judge Sue L. Robinson. Jury Trial set for 10/25/2010 09:30 AM in Courtroom 6B before Judge Sue L. Robinson. Signed by Judge Sue L. Robinson on 3/16/2009. (nmf) (Entered: 03/16/2009) (7 pgs)
Order Setting Teleconference: Telephone Conference set for 3/23/2009 at 11:00 AM before Judge Mary Pat Thyngue to discuss ADR. Signed by Judge Mary Pat Thyngue on 3/16/2009. (cak) (Entered: 03/16/2009) (4 pgs)
Order Setting Teleconference: a teleconference has been scheduled for Monday, June 1, 2009 at 10:00 a.m. with Magistrate Judge Thyngue to discuss the status of the case and the parties negotiations. Counsel for MEMC shall initiate the teleconference call to 302-573-6173. IT IS FURTHER ORDERED that the Court is holding September 10, September 14 and September 15, 2009 as possible mediation dates. Counsel are to advise Judge Thyngue by March 30, 2009 if any of these dates works for everyone to schedule the mediation. Signed by Judge Mary Pat Thyngue on 3/23/2009. (cak) (Entered: 03/23/2009) (2 pgs)
ORDER Setting Mediation Conferences: Mediation Conference TENTATIVELY set for 9/15/2009 at 10:00 AM in Courtroom 2B before Judge Mary Pat Thyngue. See order for details. Signed by Judge Mary Pat Thyngue on 3/24/2009. (cak) (Entered: 03/24/2009) (6 pgs)

MOTION to Dismiss Based upon Fed. R. Civ. P. 12(b)(1) and (6) and Article III of the United States Constitution - filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # 1 Text of Proposed Order, # 2 Certificate of Service)(Kraft, Denise) (Entered: 04/07/2009) (5 pgs)
OPENING BRIEF in Support re 30 MOTION to Dismiss Based upon Fed. R. Civ. P. 12(b)(1) and (6) and Article III of the United States Constitution MOTION to Dismiss Based upon Fed. R. Civ. P. 12(b)(1) and (6) and Article III of the United States Constitution filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique Answering Brief/Response due date per Local Rules is 4/27/2009. (Attachments: # 1 Certificate of Service)(Kraft, Denise) (Entered: 04/07/2009) (13 pgs)
ANSWER to 19 Answer to Complaint, Counterclaim Partial Answer to Defendant's Counterclaims, Affirmative Defenses and Soitec Counterclaims, COUNTERCLAIM against MEMC Electronic Materials Inc. by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # 1 Certificate of Service)(Kraft, Denise) (Entered: 04/07/2009) (18 pgs)
NOTICE OF SERVICE of First Request for Production of Documents and Things Directed to Commissariat A L'Energie Atomique; First Request for Production of Documents and Things Directed to SOITEC Silicon on Insulator Technologies, S.A. and Soitec USA, Inc.; and First Set of Interrogatories Directed to SOITEC Silicon on Insulator Technologies, S.A., Soitec USA, Inc. and Commissariat A L'Energie Atomique by MEMC Electronic Materials Inc. (Rogowski, Patricia) (Entered: 04/14/2009) (3 pgs)
STIPULATION TO EXTEND TIME Defendant to File Answering Brief in Opposition to Plaintiffs' Partial Motion to Dismiss Counterclaim Counts II, III, IV, V, and VIII to May 6, 2009 - filed by MEMC Electronic Materials Inc. (Rogowski, Patricia) (Entered: 04/21/2009) (3 pgs)
ANSWER to 32 Answer to Counterclaim,,, of S.O.I. TEC Silicon on Insulator Technologies, S.A. and SOITEC U.S.A., Inc. by MEMC Electronic Materials Inc. (Rogowski, Patricia) (Entered: 04/23/2009) (4 pgs)
STIPULATION TO EXTEND TIME Answering Brief in Opposition to Plaintiffs' Partial Motion to Dismiss Counterclaim Counts II, III, IV, V and VIII to May 15, 2009 - filed by MEMC Electronic Materials Inc.. (Rogowski, Patricia) (Entered: 05/06/2009) (3 pgs)
NOTICE OF SERVICE of Soitec's First Set of Interrogatories (Nos. 1-17) and Soitec's First Set of Requests for Production of Documents and Things (Nos. 1-132) by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # 1 Certificate of Service)(Kraft, Denise) (Entered: 05/06/2009) (2 pgs)
STIPULATION TO EXTEND TIME for Defendant to File an Answering Brief in Opposition to Plaintiffs' Partial Motion to Dismiss Counterclaim Counts II, III, IV, V, and VIII; and STIPULATION TO EXTEND TIME for Plaintiffs to File Responses to MEMC's First Requests For Production of Documents and to MEMC's First Set of Interrogatories to May 29, 2009 - filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # 1 Certificate of Service)(Kraft, Denise) (Entered: 05/13/2009)
NOTICE of Service of (1) Subpoena to Hayes Soloway, P.C., (2) Subpoena to Pearne & Gordon, LLP, (3) Subpoena to Brinks Hofer Gilson & Lione, and (4) Subpoena to Winston & Strawn by MEMC Electronic Materials Inc. (Rogowski, Patricia) (Entered: 05/14/2009) SO ORDERED- re 38 STIPULATION TO EXTEND TIME. Set Briefing Schedule: re 30 MOTION to Dismiss. (Answering Brief due 5/29/2009.) (REFER TO STIPULATION FOR FURTHER DETAILS.). Signed by Judge Sue L. Robinson on 5/15/2009. (lid) (Entered: 05/15/2009)
STIPULATION To Extend Time for Defendant to File Its Answering Brief until June 5, 2009 by MEMC Electronic Materials Inc.. (Rogowski, Patricia) (Entered: 05/28/2009) SO



ORDERED, re 40 Stipulation, Set Briefing Schedule: re 30 MOTION to Dismiss Based upon Fed. R. Civ. P. 12(b)(1) and (6) and Article III of the United States Constitution. (Answering Brief due 6/5/2009.). Signed by Judge Sue L. Robinson on 5/29/2009. (nmf) (Entered: 05/29/2009)

NOTICE OF SERVICE of (1) Soitec's Objections and Responses to MEMC's First Set of Interrogatories; (2) Soitecs Objections and Responses to MEMC's First Request For Production of Documents and Things; (3) CEAs Objections and Responses to MEMC's First Set of Interrogatories; and (4) CEAs Objections and Responses to MEMC's First Request For Production of Documents and Things by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # 1 Certificate of Service) (Kraft, Denise) (Entered: 05/29/2009)

STIPULATION To extend date to June 19, 2009 by which defendant may file an answering brief in opposition to plaintiffs' Partial Motion to Dismiss Counterclaim Counts II, III, IV, V, and VIII by MEMC Electronic Materials Inc.. (Rogowski, Patricia) (Entered: 06/05/2009)

NOTICE OF SERVICE of MEMC's Answers to SOITEC's First Set of Interrogatories (Nos. 1-17) and MEMC's Responses to SOITEC's First Set of Requests for Production of Documents and Things (Nos. 1-132) by MEMC Electronic Materials Inc..(Rogowski, Patricia) (Entered: 06/05/2009)

SO ORDERED- re 42 Stipulation to Extend Time. Set Briefing Schedule: re 30 MOTION to Dismiss. (Answering Brief due 6/19/2009.). Signed by Judge Sue L. Robinson on 6/8/2009. (lid) (Entered: 06/08/2009)

NOTICE OF SERVICE of Soitec's Second Set of Requests For Production of Documents and Things (Nos. 133-135) re 41 Notice of Service,, by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. Related document: 41 Notice of Service,, filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # 1 Certificate of Service)(Kraft, Denise) (Entered: 06/11/2009)

Letter to Honorable Sue L. Robinson from Patricia Smink Rogowski regarding Transmitting Form of Protective Order. (Attachments: # 1 Form of Protective Order, # 2 Exhibit Exhibit A to Form of Protective Order)(Rogowski, Patricia) (Entered: 06/16/2009)

NOTICE OF SERVICE of MEMC's Second Request for Production of Documents and Things Directed to S.O.I.TEC Silicon on Insulator Technologies, S.A. and Soitec USA, Inc. by MEMC Electronic Materials Inc. (Rogowski, Patricia) (Entered: 06/16/2009)

Set/Reset Hearings: Discovery Conference re-set per joint request of counsel for 9/16/2009 08:30 AM in Courtroom 6B before Judge Sue L. Robinson. (nmf) (Entered: 06/18/2009)

STIPULATION TO EXTEND TIME Defendant's Answering Brief in Opposition to Plaintiffs' Partial Motion to Dismiss Counterclaim Counts II, III, IV, V, and VIII to July 2, 2009 - filed by MEMC Electronic Materials Inc.. (Rogowski, Patricia) (Entered: 06/19/2009)

SO ORDERED- re 47 STIPULATION TO EXTEND TIME. Set Briefing Schedule: re 30 MOTION to Dismiss (Answering Brief due 7/2/2009.). Signed by Judge Sue L. Robinson on 6/23/2009. (lid) (Entered: 06/23/2009)

SO ORDERED, re 45 Protective Order. Signed by Judge Sue L. Robinson on 6/30/2009. (nmf) (Entered: 06/30/2009)

NOTICE of by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique re 30 MOTION to Dismiss Based upon Fed. R. Civ. P. 12(b)(1) and (6) and Article III of the United States Constitution MOTION to Dismiss Based upon Fed. R. Civ. P. 12(b)(1) and (6) and Article III of the United States Constitution *Notice of Withdrawal of Plaintiffs' Partial Motion to Dismiss Counterclaim Counts II, III, IV, V, and VIII* (Attachments: # 1 Certificate of Service)(Kraft, Denise) (Entered: 07/02/2009)

NOTICE OF SERVICE of MEMC's Responses to SOITEC's Second Set of Requests for

Production of Documents and Things Directed to MEMC by MEMC Electronic Materials Inc..(Rogowski, Patricia) (Entered: 07/14/2009)
STIPULATION and [Proposed] Order to File an Amended Complaint by SOITEC Silicon On Insulator Technologies SA, Commissariat a LEnergie Atomique. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Certificate of Service)(Kraft, Denise) (Entered: 07/16/2009)
NOTICE OF SERVICE of Soitec's Objections and Responses to MEMC's Second Request For Production of Documents and Things Directed To Soitec re <u>46</u> Notice of Service by SOITEC Silicon On Insulator Technologies SA, Commissariat a LEnergie Atomique. Related document: <u>46</u> Notice of Service filed by MEMC Electronic Materials Inc. (Attachments: # <u>1</u> Certificate of Service)(Kraft, Denise) (Entered: 07/16/2009)
NOTICE of Withdrawal of Docket Entry 51 by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique re <u>51</u> Notice of Service, (Attachments: # <u>1</u> Certificate of Service)(Kraft, Denise) (Entered: 07/17/2009)
NOTICE OF SERVICE of SOITEC's Objections and Responses to MEMC's Second Request for Production of Documents and Things Directed to SOITEC re <u>46</u> Notice of Service by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. Related document: <u>46</u> Notice of Service filed by MEMC Electronic Materials Inc.. (Attachments: # <u>1</u> Certificate of Service)(Kraft, Denise) (Entered: 07/17/2009)
NOTICE OF SERVICE of MEMC Electronic Materials, Inc.'s Second Set of Interrogatories Directed to S.O.I.TEC Silicon on Insulator Technologies, S.A., SOITEC USA, Inc. and Commissariat A L'Energie Atomique by MEMC Electronic Materials Inc..(Rogowski, Patricia) (Entered: 07/17/2009)
NOTICE OF SERVICE of Soitec's Production of Documents Bates Numbered SCEA 00000001 to SCEA 00002442 by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # <u>1</u> Certificate of Service)(Kraft, Denise) (Entered: 07/17/2009) SO ORDERED, re <u>50</u> Stipulation. Signed by Judge Sue L. Robinson on 7/20/2009. (nmf) (Entered: 07/20/2009)
NOTICE OF SERVICE of MEMC's Production of Documents Bates Numbered MEMC0300000 to MEMC0306530 by MEMC Electronic Materials Inc. (Rogowski, Patricia) (Entered: 07/20/2009)
First AMENDED COMPLAINT <i>for Patent Infringement</i> against MEMC Electronic Materials Inc.- filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Certificate of Service)(Kraft, Denise) (Entered: 07/21/2009)
NOTICE OF SERVICE of Soitec S.A.'s Second Set of Interrogatories (Nos. 18-22) and CEA's First Set of Interrogatories (Nos. 1-11) by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # <u>1</u> Certificate of Service)(Kraft, Denise) (Entered: 07/23/2009)
NOTICE OF SERVICE of S.O.I.TEC SILICON ON INSULATOR TECHNOLOGIES, S.A. and COMMISSARIAT A LENERGIE ATOMIQUE SUPPLEMENTAL PRODUCTION OF DOCUMENTS BATES NUMBERED SLIT 00000001 TO SLIT 00049728 re <u>43</u> Notice of Service, by SOITEC Silicon On Insulator Technologies SA, Commissariat a LEnergie Atomique. Related document: <u>43</u> Notice of Service, filed by MEMC Electronic Materials Inc.. (Attachments: # <u>1</u> Certificate of Service)(Kraft, Denise) (Entered: 07/27/2009)
ANSWER to Amended Complaint ANSWER to <u>57</u> Amended Complaint, with Under Federal Rule of Civil Procedure 38, MEMC demands a trial by jury on all issues so triable., COUNTERCLAIM against all plaintiffs by MEMC Electronic Materials Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Certificate of Service)(Rogowski, Patricia) (Entered: 08/03/2009)

NOTICE OF SERVICE of MEMC's Production of Documents Bates Numbered MEMC0300000 - MEMC0337055 by MEMC Electronic Materials Inc. (Rogowski, Patricia) (Entered: 08/05/2009)
NOTICE OF SERVICE of S.O.I.TEC Silicon on Insulator Technologies, S.A. and Commissariat a L'Energie Atomique's Revised Supplemental Production of Documents Bates Numbered SLIT00000001 - SLIT0004886; SLIT00004931 SLIT00004985; SLIT00005169 SLIT00005174; SLIT00005241 SLIT00006368; and SLIT00006886 - SLIT00049728 re <u>59</u> Notice of Service, by SOITEC U.S.A., Inc., SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. Related document: <u>59</u> Notice of Service, filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # <u>1</u> Certificate of Service)(Kraft, Denise) (Entered: 08/06/2009)
STIPULATION TO EXTEND TIME to Answer or Otherwise Respond to MEMC's Amended Counterclaims to August 31, 2009 - filed by SOITEC Silicon On Insulator Technologies SA, SOITEC U.S.A., Inc., Commissariat a L'Energie Atomique. (Attachments: # <u>1</u> Certificate of Service)(Kraft, Denise) (Entered: 08/25/2009)
NOTICE OF SERVICE of S.O.I.TEC Silicon on Insulator Technologies, S.A. and Commissariat a L'Energie Atomique's Supplemental Production of Documents Bates Numbered SOIT 00000001 to SOIT 00003528 and SLIT 00049729 to SLIT 00060612 by SOITEC Silicon On Insulator Technologies SA, SOITEC U.S.A., Inc., Commissariat a L'Energie Atomique. (Attachments: # <u>1</u> Certificate of Service)(Kraft, Denise) (Entered: 08/25/2009)
NOTICE OF SERVICE of MEMC's Production of Documents Bates Numbered MEMC0337056 to MEMC0337503 and MEMC0337504-MEMC0338047 by MEMC Electronic Materials Inc..(Rogowski, Patricia) (Entered: 08/26/2009)
NOTICE OF SERVICE of (1) SOITECs Supplemental Responses to MEMC Electronic Materials, Inc.'s First Set of Interrogatories; and (2) CEAs Supplemental Responses to MEMC Electronic Materials, Inc.'s First Set of Interrogatories re <u>41</u> Notice of Service,, by SOITEC Silicon On Insulator Technologies SA, SOITEC U.S.A., Inc., Commissariat a L'Energie Atomique. Related document: <u>41</u> Notice of Service,, filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique. (Attachments: # <u>1</u> Certificate of Service)(Kraft, Denise) (Entered: 08/26/2009)
NOTICE OF SERVICE of MEMC's Supplemental Answers to SOITEC's First Set of Interrogatories by MEMC Electronic Materials Inc..(Rogowski, Patricia) (Entered: 08/27/2009) SO ORDERED- re <u>63</u> STIPULATION TO EXTEND TIME. Set/Reset Answer Deadlines: SOITEC Silicon On Insulator Technologies SA answer due 8/31/2009; Commissariat a L'Energie Atomique answer due 8/31/2009; SOITEC U.S.A., Inc. answer due 8/31/2009. Signed by Judge Sue L. Robinson on 8/27/2009. (lid) (Entered: 08/27/2009)
ANSWER to <u>60</u> Answer to Amended Complaint, Counterclaim,,, COUNTERCLAIM <i>Reply to Defendant's Amended Counterclaims, Counterclaims And Affirmative Defenses</i> against MEMC Electronic Materials Inc. by SOITEC Silicon On Insulator Technologies SA, Commissariat a L'Energie Atomique, SOITEC U.S.A., Inc.. (Attachments: # <u>1</u> Certificate of Service)(Kraft, Denise) (Entered: 08/31/2009)
NOTICE OF SERVICE of MEMC's THIRD SET OF INTERROGATORIES DIRECTED TO S.O.I.TEC SILICON ON INSULATOR TECHNOLOGIES, S.A., SOITEC USA, INC., AND COMMISSARIAT A L'ENERGIE ATOMIQUE by MEMC Electronic Materials Inc. (Rogowski, Patricia) (Entered: 09/01/2009)
ANSWER to <u>68</u> Answer to Counterclaim,,, by MEMC Electronic Materials

Inc..(Rogowski, Patricia) (Entered: 09/14/2009). Minute Entry for proceedings held before Judge Sue L. Robinson - Discovery Conference held on 9/16/2009. (Court Reporter V. Gunning.) (nmf) (Entered: 09/16/2009)
--

NOTICE OF SERVICE of Soitec S.A.'s Third Set of Interrogatories (Nos. 23-27) re <u>58</u> Notice of Service, by SOITEC Silicon On Insulator Technologies SA, SOITEC U.S.A., Inc., Commissariat a LEnergie Atomique. Related document: <u>58</u> Notice of Service, filed by SOITEC Silicon On Insulator Technologies SA, Commissariat a LEnergie Atomique. (Attachments: # <u>1</u> Certificate of Service)(Kraft, Denise) (Entered: 09/22/2009)
--

Applicants are enclosing Form PTO-1449, along with a copy of each listed reference C-60-C-213 for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

In addition to the prior art reference, Applicants also cite the Office Actions from three co-pending applications. These applications are commonly-owned by the assignees of record.

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98 and, more particularly, in accordance with 37 C.F.R. §1.97(b), Applicants hereby cite the following documents. These documents are litigation documents filed by the Parties in *SOITEC v. MEMC* (1:08-cv-00292-SLR) in the U.S. District Court, District of Delaware. This lawsuit involves patents owned by the assignee of record and that disclose subject matter that may be related to that claimed in the above-referenced patent application.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicants have further calculated a processing fee in the amount of \$180.00 to be due under 37 CFR §1.17(p) in connection with the filing of this Information Disclosure Statement.

Respectfully submitted,

/Jasper W. Dockrey/  
Jasper W. Dockrey  
Registration No.: 33,868

BRINKS HOFER GILSON & LIONE  
PO BOX 10395  
CHICAGO, IL 60610  
(312) 321-4200